

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

PATRICIA BURTON,

Petitioner

v.

Civil Action No. 2:16-4108  
(Criminal Action No. 2:05-0155)

UNITED STATES OF AMERICA

Respondent.

MEMORANDUM OPINION AND ORDER

The court having received the Proposed Findings and Recommendation ("PF&R") of United States Magistrate Judge Omar J. Aboulhosn, filed on February 21, 2017, pursuant to the provisions of 28 U.S.C. § 636(b) (1) (B); and having reviewed the record in this proceeding; and there being no objections filed by any party to the proposed findings and recommendation;<sup>1</sup> and it appearing proper so to do, it is ORDERED that the findings and conclusions made in the proposed findings and recommendation of the magistrate judge be, and they hereby are, adopted by the court.

It is, therefore, ORDERED that movant's motion to vacate, set aside or correct her sentence (ECF Doc. Nos. 114, 124, 125) and

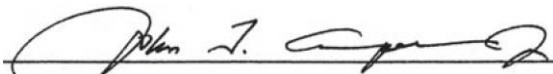
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<sup>1</sup> Objections were due by March 10, 2017. Ms. Burton requested an extension of time to respond to the PF&R on March 13, 2017. The court granted Ms. Burton's request for an extension, giving her until May 5, 2017 to file any objections. No objections have been filed.

movant's motion seeking a sentence reduction based on Johnson v.  
United States and pursuant to 28 U.S.C. § 2255 (ECF Doc. No. 117)  
be, and they hereby are, denied without prejudice. It is further  
ORDERED that this matter be, and it hereby is, dismissed from the  
court's docket.

The Clerk is directed to forward copies of this written  
opinion and order to plaintiff, all counsel of record and the United  
States Magistrate Judge.

DATED: May 15, 2017



John T. Copenhaver, Jr.  
United States District Judge